

1.01

Notice of Allowability	Application No.	Applicant(s)	
	10/608,149	KORZHENKO ET AL.	
	Examiner	Art Unit	
	Ramsey Zacharia	1773	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 3 October 2003.
2. ☒ The allowed claim(s) is/are 10,15 and 21-31.
3. ☒ The drawings filed on 30 June 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/986,448.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>attached</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with I. William Millen on 26 April 2004.

The application has been amended as follows.

In claim 21, the phrase

"C) not more than 40% of (A), a being a (PVDF) homopolymer which is neither in the β form nor a vinylidene fluoride-hexafluoropropylene copolymer (VF2-HFP) comprising at least 85 mol% of VF2,"

has been replaced with

--C) greater than 0% but not more than 40% of either a polyvinylidene fluoride homopolymer or copolymer which is not crystallized in the β form or a vinylidene fluoride-hexafluoropropylene copolymer (VF2-HFP) comprising at least 85 mol% of VF2,--.

In claim 28, the phrase "according to Claim 21," has been replaced with the phrase --comprising an insulating surface coated with the composite material of Claim 21,--.

In the specification, the following has been inserted at page 4 line 32:

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--BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a graph of resistance versus temperature for the material of Example 1.

FIG. 2 is a graph of film temperature and intensity over time for the material of Example

1.--

2. The following is an examiner's statement of reasons for allowance.

The invention as claimed is directed to a composite material comprising 40-90 wt% of a vinylidene fluoride homopolymer or copolymer crystallized in the β form, 10-60 wt% of a conductive filler, greater than 0 but not more than 40 wt% of material (C), and 0-40 wt% of a filler other than (C). The crystals in the β form are nucleated on the surface of the conductive filler. Material (C) comprises either a polyvinylidene fluoride homopolymer or copolymer which is not crystallized in the β form or a vinylidene fluoride-hexafluoropropylene copolymer comprising at least 85 mol% of VF2.

Shafe et al. and Sako et al. represent the closest prior art. However, neither reference teaches or suggests a composition that comprises more than 0 wt% but no more than 40 wt% of a crystalline or semi-crystalline polymer wherein the polymer is either a PVDF homopolymer not in the β form or a VF2-HFP copolymer comprising at least 85% of VF2.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Zacharia whose telephone number is (571) 272-1518.

The examiner can normally be reached on Monday through Friday from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Thibodeau, can be reached on (571) 272-1516. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ramsey Zacharia
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